

Critical Environmental Deadlines Fast Approaching

Have you received a letter from the New Jersey Department of Environmental Protection (DEP) recently?

Jay A. Jaffe

Greenbaum, Rowe, Smith & Davis LLP Client Alert

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In the past few weeks, the DEP has sent “Compliance Assistance Alert” letters to more than 3,900 parties responsible for remediating contaminated sites, alerting them to their obligation to submit specific reports to DEP, and warning of **penalties and other consequences if these reports are not submitted by March 1, 2012.**

The March 1, 2012 “mandatory timeframes” deadline applies to **cleanups initiated prior to March 1, 2010** and covers the following reports, as applicable:

- Initial Receptor Evaluation Form
- Light Non-Aqueous Phase Liquid Remediation Reporting Form and Report
- Immediate Environmental Concern Response Action Form and Report
- Preliminary Assessment/Site Investigation Form and Report

Cleanups initiated after March 1, 2010 are also subject to mandatory timeframes. The deadline to submit the required reports is two years after the initiation of remediation.

The mandatory timeframes were established under the **Site Remediation Reform Act (SRRRA)**, a major piece of legislation passed in 2009 that profoundly changed the process of environmental investigations and cleanups in New Jersey. The SRRRA established a **Licensed Site Remediation Professional (LSRP)** program, whereby responsibility to oversee most environmental cleanups is shifting from DEP to licensed environmental professionals.

Attorneys

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Published Articles (Cont.)

For all open remediation cases, the **deadline to retain an LSRP is May 7, 2012.**

Note: We are aware of some instances in which DEP's Compliance Assistance Alert was sent in error, based on incorrect or out-of-date information in DEP's database.

If you have received an Alert from DEP and have concerns about its validity, or if you have questions regarding compliance with the mandatory timeframes, the requirement to retain an LSRP, or any other aspect of the SRRA, please contact our partner **Jay A. Jaffe**.